

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

MADHVAMUNI K. DAS, GEETHA M. DAS, )

Case No.: 10-CV-00650-LHK

Plaintiffs, )

v. )

ORDER DISMISSING CLAIMS  
AGAINST GMAC AND CIT; ORDER  
DIRECTING PLAINTIFFS TO FILE A  
VOLUNTARY DISMISSAL AS TO  
AMERICA'S SERVICING COMPANY

WMC MORTGAGE CORP.; AMERICAN  
MORTGAGE NETWORK; THE CIT GROUP;  
FIRST AMERICAN TITLE INSURANCE  
COMPANY; MERS; OLD REPUBLIC  
DEFAULT MANAGEMENT SERVICES;  
BONAFIDE FINANCIAL; WESTWOOD  
ASSOCIATES; CENTRAL MORTGAGE  
COMPANY; AMERICA'S SERVICING  
COMPANY; GMAC MORTGAGE CORP.;  
DOES 1-100.

Defendants. )

On November 28, 2011, the Court ordered Plaintiffs to serve Defendant GMAC Mortgage Corporation ("GMAC") by December 28, 2011, or face dismissal of their claims against GMAC for failure to prosecute pursuant to Fed. R. Civ. P. 4(m). ECF No. 134. Additionally, at the Case Management Conference held on December 7, 2011, the Court ordered Plaintiffs to serve Defendant The CIT Group by December 28, 2011, or similarly face dismissal of their claims. ECF No. 142. As of January 10, 2012, Plaintiffs have failed to file proof of service for either of these defendants as ordered by the Court. Accordingly, Plaintiffs' claims against these defendants are DISMISSED. The Clerk shall terminate Defendants GMAC Corp. and The CIT Group.

At the December 7, 2011 Case Management Conference, the Court also ordered Plaintiffs to file a stipulation dismissing Defendant America's Servicing Company. Plaintiffs failed to do so. If Plaintiffs fail to dismiss America's Servicing Company by January 13, 2012, the Court

will issue an order to show cause why sanctions should not be imposed for failure to comply with a Court order.

**IT IS SO ORDERED.**

Dated: January 10, 2012

  
LUCY H. KOH  
United States District Judge

United States District Court  
For the Northern District of California